

REMARKS

Claims 1 and 4-24 are pending. Claims 1-24 are rejected. Independent claims 1 and 24 are amended herein while claims 2 and 3 are cancelled herein. It is to be appreciated that while reference may be made back to certain parts of the application in this Reply (e.g., page numbers, line numbers, Figs., etc.), that such referencing is not to be interpreted in a limiting manner (e.g., to limit the scope of the claims and/or features therein to the particular portion(s) referenced), but is instead merely done for purposes of explanation, illustration and/or ease of understanding. Reconsideration of the application is respectfully requested based on the following remarks.

I. PRIORITY CLAIM ACKNOWLEDGEMENT

The undersigned notes that a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) was not acknowledged in the November 5, 2007 Office Action (the associated box was not checked). However, since such a claim was acknowledged in the May 30, 2007 Office Action (the box was checked), the undersigned is presuming that the lack of acknowledgment in the November 5, 2007 Office Action was merely an oversight or inadvertent omission and respectfully requests to be notified if this understanding is not correct.

II. REJECTION OF CLAIMS 1-23 UNDER 35 U.S.C. § 103(a)

Claims 1-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Boos (US 7,103,343) in view of Petersson et al. (US 2003/0171100). Withdrawal of the rejection is respectfully requested for at least the following reasons.

Claims 2 and 3 are cancelled herein.

Independent claim 1 is amended herein to include the limitations of claims 2 and 3 such that claim 1 now sets forth elements in both ***reception and transmission paths***. It is respectfully submitted that the suggested combination fail to teach these features, at least, because one of ordinary skill in the art would

not be motivated to modify the ***transmission path*** in Boos in view of the ***reception path teachings*** of Petersson et al. For example, Petersson et al. address a problem that is unique to reception paths, namely aliasing (where spurious signals may be present outside of a desired receive band) (Abstract; paras. 1-3 and 9), and therefore the teachings therein have no application to the transmission path in Boos (or to transmission paths in general). That is, since there are no components in a transmission path that give rise to aliasing, the anti-aliasing teachings of Petersson et al. do not have application to transmission paths. Accordingly, one of ordinary skill in the art would not be motivated to adapt the transmission path in Boos (which is not subject to aliasing) with the anti-aliasing teachings of Petersson et al.

Moreover, Petersson et al. are also concerned with image signals in the down converted intermediate frequency signal, and attempt to mitigate the same by adjusting specific frequency divider ratios (para. 24). From the teaching of Petersson et al. (Fig. 2) it is clear that the sampling clock for the analog to digital converter (22) is dependent on the frequency of the master oscillator (30). In Boos, however, the converter clock signal is independent of the demodulator signal provided by the voltage controlled oscillator of the phase locked loop. This arrangement (in Boos) allows the complexity of the converters in the transmission and reception path to be reduced, and thereby reduces space and power consumption, which a primary purpose of Boos (Col. 2, lines 36-40; Abstract). Accordingly, modifying Boos in view of Petersson et al. to provide the converter clock signal from the voltage controlled oscillator of the phase locked loop would detract from the space and energy saving goals of Boos by increasing the complexity of the structure due to the need for additional divider circuits. It is thus respectfully submitted that the suggested combination is not proper as one of ordinary skill in the art would not be motivated to make the same as this would destroy a primary purpose of Boos. Independent claim 1, as amended, is thus believed to be allowable over the references cited. Claims 4-23 depend from independent claim 1, and thus are also believed to be allowable over the references cited.

Withdrawal of this rejection is therefore respectfully requested.

III. REJECTION OF CLAIM 24 UNDER 35 U.S.C. §103(a)

Claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Petersson et al. (US 2003/0171100) in view of Boos (US 7,103,343).

Withdrawal of the rejection is respectfully requested for at least the following reasons.

Similar to claim 1, independent claim 24 is amended herein to describe both the transmission and reception paths. Accordingly, claim 24 is believed to be allowable over the references cited for at least the foregoing reasons wherein one of ordinary skill in the art would not be motivated to modify the transmission path in Boos with the reception path teachings of Petersson et al.

IV. CONCLUSION

For at least the above reasons, the claims currently under consideration are believed to be in condition for allowance.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application; the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733, EHFP139US.

Respectfully submitted,
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